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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,496	10/01/2003	Akiko Onishi	00862.023332.	4228
5514	7590	03/10/2009		EXAMINER
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112				HUNTSINGER, PETER K
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/674,496	ONISHI, AKIKO	
	Examiner	Art Unit	
	Peter K. Huntsinger	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 December 2008.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,4,5,7,9,11,13,15,16,21 and 27 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1,4,5,7,9,11,13,15,16,21 and 27 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 4, 5, 7, 9, 11, 13, 15, 16, 21 and 27 have been considered but are moot in view of the new ground(s) of rejection.

2. The applicant has not traversed the examiner's assertion of official notice for the assertions provided in claims 5 and 17. Therefore, the common knowledge or well-known in the art statement is taken to be admitted prior art

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4, 5, 7, 9, 11, 13, 15, 16, 21 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry Patent No. 7,159,190, and further in view of Farrell Patent No. 6,049,391.

Referring to **claim 1**, Perry '190 discloses a printing control method executed in an information processing apparatus which has a printer driver to generate print data which a printing apparatus can process, said printing control method comprising:

a first displaying step of displaying an entire setting screen to set an entire setting print attribute to be applied to the entire print data (Fig. 5, col. 5, lines 20-30, print job properties can be created that will apply to the entire print job);

a second displaying step of displaying a partial setting screen to set a partial print attribute to be applied to a part of the print data, wherein at least a type of sheet designated is included in the partial setting screen (Figs. 6A-D, col. 7, lines 18-45, print job exceptions attributes window allows user to enter print job exception attributes such as stock type); and

a generating step of generating the print data to print a print material in which the entire print attribute and the partial print attribute are reflected, (col. 2, lines 31-40, prints print job that includes print job level properties and print job exception attributes)

wherein the partial setting screen has a second designation field to designate a page as the part of the print data to which the partial print attribute to be applied, and the entire setting screen does not have the designation field (Figs. 6A-D, col. 6, lines, 34-40, print job exceptions attribute window allows a user to specify a page range).

Perry '190 discloses setting entire print attributes to be applied to the entire print data, but does not disclose expressly setting an entire print attribute for designating a type of sheet.

Farrell '391 discloses a first displaying step of displaying an entire setting screen to set an entire print attribute to be applied to the entire print data, wherein at least a first designation field to designate a type of sheet is included in the entire setting screen (Fig. 3, col. 6, lines 39-60, display allows paper stock type to be selected).

At the time of the invention, it would have obvious to a person of ordinary skill in the art to allow setting sheet type for the entire print data. The motivation for doing so would have been to allow the user to select a common sheet type depending on the requirements for the print job. Therefore, it would have been obvious to combine Farrell '391 with Perry '190 to obtain the invention as specified in claim 1.

Referring to **claim 4**, Perry '190 discloses a setting step of setting the entire print attribute including paper types, print quality, and color adjustment (col. 4, lines 22-33, properties for an entire print job include paper stock, printer output, and page color).

Referring to **claim 7**, see the rejection of claim 1 above.

Referring to **claim 9**, see the rejection of claim 4 above.

Referring to **claim 11**, Perry '190 discloses a printing system comprising:
a printing control apparatus for generating data which a printing apparatus can process (printing system 1000 of Fig. 1, col.3, lines 41-46);

a first displaying unit which displays an entire setting screen to set an entire setting print attribute to be applied to the entire print data (user interface of Fig. 5, col. 5, lines 20-30, print job properties can be created that will apply to the entire print job);

a second displaying unit which displays a partial setting screen to set a partial print attribute to be applied to a part of the print data, wherein at least a type of sheet designated is included in the partial setting screen (Figs. 6A-D, col. 7, lines 18-45, print job exceptions attributes window allows user to enter print job exception attributes such as stock type); and

a generating unit which generates the print data to print a print material in which the entire print attribute and the partial print attribute are reflected, (printing system 1000 of Fig. 1, col.3, lines 41-46) (col. 2, lines 31-40, prints print job that includes print job level properties and print job exception attributes)

wherein the partial setting screen has a second designation field to designate a page as the part of the print data to which the partial print attribute to be applied, and the entire setting screen does not have the designation field (Figs. 6A-D, col. 6, lines, 34-40, print job exceptions attribute window allows a user to specify a page range).

Referring to **claim 13**, see the rejection of claim 1 above.

Referring to **claim 16**, Perry '190 discloses when the partial print attribute is not set, print data to print a printed material is generated in which the entire print attribute is reflected in all pages of the print data, and

when the partial print attribute is set, print data to print a printed material is generated in which (i) both the entire print attribute and the partial print attribute are reflected in a designated page designated using the partial setting screen, and (ii) the entire print attribute is reflected in pages other than the designated page (col. 2, lines 31-40, prints print job that includes print job level properties and print job exception attributes).

5. Claims 5 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry Patent No. 7,159,190 and Farrell Patent No. 6,049,391 as applied to claim 1 above, and further in view of well known prior art.

Referring to **claim 5**, Perry '190 discloses print data, but does not disclose expressly wherein the print data is bitmap data.

Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to output print data as a bitmap (See MPEP 2144.03). The motivation for doing so would have been to utilize a conventional print job format that does not require format conversion at the printer. Therefore, it would have been obvious to combine well known prior art with Perry '190 to obtain the invention as specified in claim 5.

Referring to **claim 17**, Perry '190 discloses the entire setting screen and the partial setting screen but does not disclose expressly wherein the screens are provided by the printer driver.

Official Notice is taken that it is well known and obvious to a person of ordinary skill in the art to provide a print user interface via a printer driver (See MPEP 2144.03). The motivation for doing so would have been to utilize the same program for customizing and formatting print data, thus reducing program conflicts. Therefore, it would have been obvious to combine well known prior art with Perry '190 to obtain the invention as specified in claim 17.

6. Claims 15, 21 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perry Patent No. 7,159,190 and Farrell Patent No. 6,049,391 as applied to claims 1, 7 and 13 above, and further in view of Iwase Patent No. 6,724,492.

Referring to **claim 15**, Perry '190 discloses wherein the partial setting screen is displayed in response to a designation inputted when one of the plurality of settings

screens is displayed (col. 6, lines 34-40, user can create a new exception by using the "add exceptions" button).

Perry '190 does not disclose expressly wherein the entire setting screen has a plurality of setting screens.

Iwase '492 discloses an entire setting screen has a plurality of setting screens (Fig. 19, col. 12, lines 41-53, menu has a sort, double-sided print, copy, density saturation, and color balance tabs).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide a setting screen with multiple tabs. The motivation for doing so would have been to provide the user with a multitude of print attributes conveniently organized within tabbed screens. Therefore, it would have been obvious to combine Iwase '492 with Perry '190 to obtain the invention as specified in claim 15.

Referring to **claim 21**, see the rejection of claim 15 above.

Referring to **claim 27**, see the rejection of claim 15 above.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Peter K. Huntsinger/
Examiner, Art Unit 2625

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625